05-44481-rdd Doc 20304-8 Filed 07/02/10 Entered 07/02/10 09:05:52 Exhibit 7: June 9 2010 Email and Proposed Order Dismissing Affinia Affinia Gr Pg 1 of 5

# **EXHIBIT 7**

Blank June 9 2010 Email and Proposed Order Dismissing Affinia Affinia Gr Pg 2 075

#### Calton, Judy B.

From:

Sims, Pairlee on behalf of Calton, Judy B.

Sent:

Wednesday, June 09, 2010 12:33 PM

To:

'orlandoni@butzel.com'

Cc:

Winsten, I. W.; Salzenstein, Douglas C.; Drucker, Seth A.; 'Steve.Keller@affiniagroup.com';

Fisher, Eric; 'haffey@butzel.com'

Subject:

Delphi v. Affinia, Adv. Pro. No. 07-02198

Attachments: DETROIT-#4224470-v1-Consent\_Order\_dismissing\_Affinia.DOC

Thank you for agreeing at page 46 footnote 13 of the Reorganized Debtors' Omnibus Response, to stipulate to the dismissal of non-entity/non-existent defendants, such as "Affinia," "Affinia Group," and "Affinia Canada."

Accordingly, enclosed for your signature is a proposed *Consent Order Dismissing "Affinia," "Affinia Group" and "Affinia Canada"* to implement the dismissal.

Please let me know if you want any changes in the form of order. Otherwise, please sign and return to me no later than June 18, 2010

### HONIGMAN

#### Judy B. Calton

Partner

Honigman Miller Schwartz and Cohn LLP
Attorneys and Counselors
660 Woodward Avenue
2290 First National Building
Detroit, MI 48226-3506

Telephone Number: (313) 465-7344 Fax Number: (313) 465-7345

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Attorneys for Defendants Affinia Group Holdings, Inc.,	
Affinia Canada Corp., and Brake Parts, Inc.	
UNITED STATES BANKRUPTCY COURT	
SOUTHERN DISTRICT OF NEW YORK	
DELPHI CORPORATION, et al.	Chapter 11 Case No. 05-44481 (RDD)
1	Jointly Administered
DELPHI CORPORATION, et al.,	
Plaintiffs,	Adv. Pro. No. 07-02198(RDD)
Against	
AFFINIA GROUP HOLDINGS, INC.,	
AFFINIA, AFFINIA CANADA CORP.,	
AFFINIA GROUP, AFFINIA CANADA, BRAKE	
PARTS, INC., ITAPSA S.A. DE C.V.	
AND WIX FILTRATION	
PRODUCTS EUROPE	
Defendants.	
/	

# CONSENT ORDER DISMISSING "AFFINIA" "AFFINIA GROUP" AND "AFFINIA CANADA"

This matter having come on to be considered upon the the stipulation of Plaintiff DPH Holdings Corp. and Defendants Affinia Group Holdings, Inc., Affinia Canada Corp., and Brake Parts, Inc., no further notice or hearing being necessary, and the Court being fully advised in the

05-44481-r	dd Do	oc 20304-8	Filed	07/02/10	Entere	d 07/02/	10 09:05:52	Exhibit 7:
June 9	2010 E	mail and P	roposed	Order Di	smissing	Affinia	Affinia Gr	Pg 4 of 5

prem	ıses	:

## IT IS HEREBY ORDERED THAT:

- "Affinia", "Affinia Group" and "Affinia Canada" are dismissed from this 1.

adversary proceeding.	
2. The adversary proceeding capt	ion will be amended to delete Affinia", "Affinia
Group" and "Affinia Canada" as Defendants as	follows:
UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK	
DELPHI CORPORATION, et al.	Chapter 11 Case No. 05-44481 (RDD) Jointly Administered
DELPHI CORPORATION, et al.,	
Plaintiffs,	Adv. Pro. No. 07-02198(RDD)
Against	
AFFINIA GROUP HOLDINGS, INC., AFFINIA CANADA CORP., BRAKE PARTS, INC., ITAPSA S.A. DE C.V. AND WIX FILTRATION PRODUCTS EUROPE	
Defendants.	/
_	
	UNITED STATES BANKRUPTCY JUDGE

### **CONSENTED TO AND AGREED:**

BUTZEL LONG, a professional corporation Attorneys for Plaintiffs

By: /s/Donald V. Orlandoni

Eric B. Fisher
Cynthia J. Haffey
Donald V. Orlandoni
380 Madison Avenue, 22<sup>nd</sup> Floor
New York, NY 10017
Telephone: (212) 374-5359

Facsimile: (212) 818-0494 e-mail: fishere@butzel.com

Dated: June , 2010

DETROIT.4224470.1

# HONIGMAN MILLER SCHWARTZ AND COHN LLP

Attorneys for Defendants Affinia Group Holdings, Inc., Affinia Canada Corp., and Brake Parts, Inc.

By: /s/ Judy B. Calton

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